



General Assembly

Substitute Bill No. 5258

February Session, 2002

**AN ACT REQUIRING NOTIFICATION OF VOTING OR VOTING
REGISTRATION TO CONSERVATORS OF RESIDENTS IN CERTAIN
INSTITUTIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) The administrator of
2 an institution, as defined in subsection (a) of section 9-159q of the
3 general statutes, a residential facility for the mentally retarded licensed
4 pursuant to section 17a-227 of the general statutes, or a community
5 residence, as defined in section 19a-507a of the general statutes, shall
6 use his or her best efforts to provide written notice pursuant to
7 subsection (b) of this section to any conservator or guardian appointed
8 to manage the affairs of a resident of such institution, facility or
9 residence pursuant to sections 45a-644 to 45a-663, inclusive, of the
10 general statutes, as amended, or sections 45a-668 to 45a-684, inclusive,
11 of the general statutes, as amended, at least seven days prior to the
12 date any voter registration or voting opportunity is presented to the
13 resident with respect to a primary, referendum or election. As used in
14 this section, "voter registration" or "voting opportunity" includes, but is
15 not limited to, the solicitation or completion of: (1) An application for
16 admission as an elector; (2) an absentee ballot application; or (3) an
17 absentee ballot, regardless of whether supervised absentee ballot
18 voting will take place at such institution. The administrator of such
19 institution, facility or residence shall also use his or her best efforts to
20 provide written notice to any such conservator or guardian at least
21 seven days prior to the date when the resident may be brought to a

22 polling place to vote in person. The notification provisions of this
 23 section shall not apply when a member of the resident's immediate
 24 family provides the resident with an absentee ballot application or
 25 brings the resident to a polling place to vote.

26 (b) Any such notice shall indicate that the resident is entitled to vote
 27 or register to vote unless the resident is determined incompetent to do
 28 so by a probate court, or unless the registrars of voters or their
 29 designees jointly conclude at a supervised voting session that the
 30 resident declines to vote the ballot or they are unable to determine how
 31 the resident desires to vote the ballot, as provided in subsection (g) of
 32 section 9-159q of the general statutes. The notice shall also specify that
 33 a resident who requires assistance to vote in accordance with section 9-
 34 264 of the general statutes, by reason of blindness, disability or
 35 inability to read or write may receive assistance from a person of the
 36 resident's choosing.

37 (c) The administrator of any such institution, facility or residence
 38 may also provide such notice to a person with a power of attorney for
 39 a resident of the institution, facility or residence.

40 Sec. 2. (NEW) (*Effective October 1, 2002*) The guardian or conservator
 41 of an individual may file a petition in probate court to determine such
 42 individual's competency to vote in a primary, referendum or election.
 43 The probate court shall hold a hearing on the petition not later than
 44 fifteen days after the filing of the petition and the hearing shall be
 45 privileged with respect to assignment.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

GAE *Joint Favorable Subst. C/R*

JUD